

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

ISAIAH FAWKES,) D.C. CR. NO. 2004-172
Petitioner,)
) Ref.: D.C. CV. No. 2009-102
v.)
)
UNITED STATES OF AMERICA,)
Respondent.)
_____)

O R D E R

Consistent with the memorandum opinion of even date, it is hereby

ORDERED that the Government's motion to dismiss Fawkes' 28 U.S.C. § 2255 motion as time-barred is **GRANTED**; and further

ORDERED that Fawkes' 28 U.S.C. § 2255 motion is **DISMISSED**; and further

ORDERED that other pending motions, if any, are **DENIED** as moot; and further

ORDERED that a certificate of appealability is not warranted; and finally

ORDERED that the Clerk of the Court shall **CLOSE** the above-captioned files.

DONE AND SO ORDERED this 9 day of September 2011.

E N T E R:

/s/ Raymond L. Finch

RAYMOND L. FINCH
SENIOR DISTRICT JUDGE

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